

|   |  |
|---|--|
| UNITED STATES BANKRUPTCY COURT<br>DISTRICT OF NEW JERSEY  |  |
| Caption in Compliance with D.N.J. LBR 9004-1(b)   |  |
| <b>Jenkins &amp; Clayman</b><br>Stephanie F. Ritigstein<br>412 White Horse Pike<br>Audubon, NJ 08106<br>(856) 546-9696<br>Attorney for Debtor |  |
| In Re:  |  |
| Anthony Martinez  |  |
| debtors   |  |

Case No.: 19-22978

Judge: MBK

Chapter: 13

### CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION

The debtor in this case opposes the following (**choose one**):

1. ☐ Motion for Relief from the Automatic Stay filed by \_\_\_\_\_, creditor.

A hearing has been scheduled for \_\_\_\_\_, at \_\_\_\_.

- ☒ Motion to Dismiss filed by the Standing Chapter 13 Trustee.

A hearing has been scheduled for October 23, 2019, at 9:00 a.m..

- ☐ Certification of Default filed by \_\_\_\_\_.

I am requesting a hearing be scheduled in this matter.

2. I am objecting to the above for the following reasons (**choose one**):

- ☐ Payments have been made in the amount of \$\_\_\_\_\_, but have not been accounted for. Documentation in support of attached hereto.

☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**):

☒ Other (**explain your answer**):

We have paid our August 2019 and September 2019 Trustee payments. Our landlord received an order vacating stay in our bankruptcy and subsequently scheduled an eviction. However, we only paid our post-petition rental payments because we still plan on paying the arrears through the plan. Therefore, we need to file a motion to reinstate the stay so we can pay those arrears through the plan. We also lost the Chevrolet Silverado in a flood so need to amend our schedules and Chapter 13 plan. We were unable to amend our plan earlier because we weren't sure what was going to happen with our eviction but we worked it out and are still living at the property. We are asking the court to adjourn this matter so the bankruptcy can proceed as we are current with all payments to all creditors.

3. I certify under penalty of perjury that the above is true.

Date: October 18, 2019

/s/ Anthony Martinez  
Debtor's Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Debtor's Signature

**NOTES:**

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee's Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.